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**IN THE UNITED STATES DISTRICT COURT IN AND FOR
THE DISTRICT OF UTAH, CENTRAL DIVISION**

UNITED STATES OF AMERICA

Plaintiff,

v.

ANTOINE DWAYNE FRAZIER,

Defendant.

MOTION TO SUPPRESS

Case No. 4:19-CR-141

Judge David Nuffer

The defendant, Antoine Dwayne Frazier, by and through his attorney of record, G. Fred Metos, hereby moves this court to enter an order suppressing the evidence that was discovered and seized as a result of the stop, detention and search by the Utah Highway Patrol of the vehicle he was operating on November 12, 2019.

This motion is made on the grounds and for the reason that the detention and search of the vehicle violated the Fourth Amendment in the following manner: the trooper lacked reasonable cause to stop the vehicle for a moving traffic violation, the detention of the defendant exceeded that which the Fourth Amendment authorizes of traffic violations, and the trooper lacked probable cause to search the vehicle.

The evidence sought to be suppressed includes the contents of the vehicle that were seized by the troopers during the course of the search, the contents of the cellular telephones that were seized from the vehicle and any statements made by the defendant during the search of his vehicle or during any subsequent interrogation by law enforcement officers.

The defendant has standing to contest the stop, detention and search previously described as he was the sole occupant of the vehicle at the time of the stop. The vehicle was a rental car that was leased to the defendant in the defendant's name.

Notification of Oral Testimony. This is a motion that will require oral testimony. It is expected that the government will call the troopers who stopped and searched the vehicle. It is expected that the evidentiary hearing will last about three hours.

DATED this 28th day of January, 2020.

/s/ G. Fred Metos

G. FRED METOS
Attorney for Defendant

CERTIFICATE OF SERVICES

I hereby certify that on this 28th day of January, 2020, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which sent notification of such filing to the following:

Angela Marie Reddish-Day
Assistant United States Attorney
Email: angela.reddishday@usdoj.gov;

/ s/ Stephanie Metos
